



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
726 MINNESOTA AVENUE
KANSAS CITY, KANSAS 66101

JUN 14 1996

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

East River Electric
121 SE 1st Street
Madison, SD 57042

Attention: Environmental Compliance Officer or Other Manager

Dear Reader:

Re: PCB Treatment Inc., Superfund Sites
2100 Wyandotte Street, Kansas City, Missouri, and
45 Ewing Street, Kansas City, Kansas
Request for Information pursuant to Section 104(e) of
CERCLA

As you may be aware, the U.S. Environmental Protection Agency ("EPA") is working under the Superfund program to investigate and clean up contamination from hazardous substances, particularly polychlorinated biphenyls (PCBs), from the former PCB Treatment, Inc., facilities at 2100 Wyandotte Street, Kansas City, Missouri, and 45 Ewing Street, Kansas City, Kansas (the "Sites"). Superfund is a federal program designed to clean up hazardous substances that may pose a threat to human health or the environment. (The full name of the Superfund program is the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986, which together are referred to as CERCLA.) PCB Treatment, Inc., operated from 1982 until approximately 1987. During that time, the following names were used: PCB Treatment, Inc.; PCB, Inc. of Missouri; PCB, Inc. of Kansas; Environmental Resource Management, Inc.; and Envirosure (which according to business records acted as the sales and invoicing agent). PCB contamination has been detected in the buildings and soils at both Sites, and EPA is investigating the nature and extent of this contamination.



S00164183
SUPERFUND RECORDS



As part of this investigation, EPA is sending information request letters to the owners of the Sites, and to all persons who sent materials containing PCBs to the Sites. Business records obtained from PCB Treatment, Inc., indicate that your firm sent materials to the facility(ies) for treatment and/or disposal. Pursuant to the authority of Section 104(e) of CERCLA, 42 U.S.C. § 9604(e), you are hereby requested to respond to the Information Request enclosed with this letter.

You may assert a business confidentiality claim covering part or all of the information you submit. The manner in which to assert such a claim is set forth in 40 C.F.R. § 2.203(b). The information covered by such a claim will be released by EPA only to the extent and in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public without further notice to you. You should read these regulations carefully, together with the standards set forth in Section 104(e)(7) of CERCLA, 42 U.S.C. § 9604(e)(7), before asserting a business confidentiality claim, because certain categories of information are not entitled to confidential treatment.

Your response to this Information Request should be mailed within 30 days of receipt of this letter to:

Pauletta France-Isetts
Superfund Division
U.S. EPA, Region VII
726 Minnesota Avenue
Kansas City, Kansas 66101

The EPA strongly encourages you to give this matter your immediate attention and to respond to the Information Request within the time specified above. Please be advised that EPA has the authority to compel compliance with this Information Request and to seek penalties in the event of non-compliance, as set forth in Section 104(e)(5) of CERCLA, 42 U.S.C. § 9604(e)(5).

The EPA plans to review all the information submitted by you and other persons who sent materials to the Sites for the purpose of achieving cleanup of the contamination and settlement of all the parties' potential liability for the contamination as expeditiously as possible.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501, et seq.

If you have any questions regarding this Information Request or the Sites, please call (913) 551-7018 and leave a message. Your call will be returned as quickly as possible.

Thank you for your cooperation in this matter.

Sincerely,

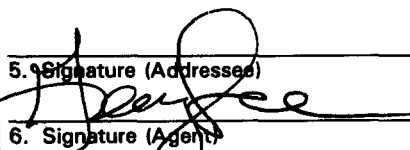
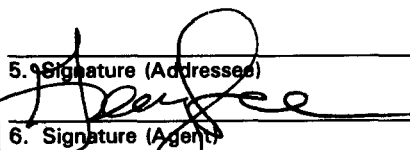


Steve Kovac, Chief
Missouri/Kansas Remedial Branch
Superfund Division

Enclosure

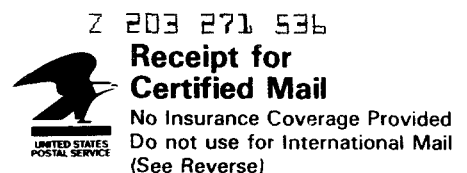
cc: Candice A. Hamil, MDNR
Rick Bean, KDHE

Is your RETURN ADDRESS completed on the reverse side?

SENDER: <ul style="list-style-type: none">• Complete items 1 and/or 2 for additional services.• Complete items 3, and 4a & b.• Print your name and address on the reverse of this form so that we can return this card to you.• Attach this form to the front of the mailpiece, or on the back if space does not permit.• Write "Return Receipt Requested" on the mailpiece below the article number.• The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: East River Electric 121 SE 1st Street Madison, SD 57042		4a. Article Number 2 203 271 536	
		4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Registered Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
5. Signature (Addressee) 		7. Date of Delivery JUN 17 1996	
6. Signature (Agent) 		8. Addressee's Address (Only if requested and fee is paid) USPO	

PS Form 3811, December 1991 *U.S. GPO: 1993-352-714 DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



East River Electric
121 SE 1st Street
Madison, SD 57042

PS Form 3811

Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

INFORMATION REQUEST
PCB TREATMENT INC. SITES

INSTRUCTIONS

1. You are required to provide a separate narrative response to each and every question and subpart of a question set forth in this Information Request.
2. Precede each answer with the number of the question to which it corresponds.
3. If information or documents not known or not available to you on the date of submission of your response to this Information Request should become known or available to you at a later date, you must supplement your response to EPA. Moreover, should you find at any time after the submission of this response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response.
4. For each document produced in response to this Information Request, identify the document and indicate on the document, or in some other reasonable manner, the number of the question to which it responds.
5. (A) The information requested herein must be provided even though you may believe that it includes confidential information or trade secrets. You may, if you desire, assert a confidentiality claim covering part or all of the information requested, pursuant to Section 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. § 9604(e)(7)(E) and (F) and 40 C.F.R. § 2.203(b), by segregating such materials for which a claim of confidentiality is being asserted from those materials for which no claim of confidentiality is being asserted, and attaching to those materials for which a claim of confidentiality is being asserted, at the time such materials are submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," or "proprietary" or "company confidential." Information covered by such a claim will be disclosed by EPA only to the extent, and only by means of the procedures set forth in 40 C.F.R. Part 2.

(B) If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you. You should read the above-cited statute and regulation carefully before asserting a business confidentiality claim, because certain categories of information are not properly the subject of such a claim. Information you submit in response to this Information Request may be disclosed

by EPA to authorized representatives of the United States pursuant to 40 C.F.R. § 2.310(h), notwithstanding your assertion that all or part of it may be confidential business information. Please be advised that EPA intends to disclose your response to this Information Request to its contractor, Dynamac Corporation, whom EPA has retained to organize and analyze the information contained in the responses to this Information Request. If you are submitting information asserted to be confidential business information, you may comment on this intended disclosure within 10 days of receiving this Information Request.

DEFINITIONS

The following definitions shall apply to the following words as they appear in this Attachment:

1. The term **"you"** or **"Respondent"** shall mean the addressee of this Request, the addressee's employees, relatives, contractors, trustees, successors, assigns, and agents.
2. The term **"person"** as used herein includes, in the plural as well as the singular, any natural person, firm, unincorporated association, partnership, corporation, trust or other entity.
3. The terms **"Sites"** or **"facilities"** shall mean and include the property on or about 2100 Wyandotte Street, Kansas City, Missouri and/or 45 Ewing Street, Kansas City, Kansas.
4. The term **"hazardous substance"** shall have the same definition as that contained in Section 101(14) of CERCLA and includes any mixtures of such hazardous substances with any other substances, including petroleum products.
5. The terms **"pollutant"** and **"contaminant"** shall have the same definition as that contained in Section 101(33) of CERCLA, and includes any mixtures of such pollutants and contaminants with any other substances, including petroleum products.
6. The term **"RCRA"** shall mean the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. § 6901 et seq.
7. The term **"TSCA"** shall mean the Toxic Substance Control Act of 1976, 15 U.S.C. § 2601 et seq.
8. The term **"hazardous waste"** shall have the same definition as that contained in Section 1004(5) of RCRA.
9. The term **"solid waste"** shall have the same definition as that contained in Section 1004(27) of RCRA.
10. The term **"materials"** shall mean all substances that have been generated, treated, stored, disposed of or otherwise handled

at, or transported to the Sites; including, but not limited to, all hazardous substances, pollutants and contaminants, hazardous wastes and solid wastes as defined above, and including but not limited to all debris, soils and liquids containing polychlorinated biphenyls or other hazardous materials.

11. The term **"items"** shall mean all objects, articles or materials that have been generated, treated, stored, disposed or otherwise handled at, or transported to the Sites; including but not limited to, all hazardous substances, pollutants and contaminants, hazardous wastes and solid wastes as defined above and including all electrical equipment, electrical equipment parts or other objects, articles or materials containing polychlorinated biphenyls or other hazardous materials.

12. The term **"identify"** means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.

13. The term **"identify"** means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g. corporation, partnership, etc.), organization, if any, and a brief description of its business.

14. The term **"identify"** means, with respect to a document, to provide its customary business description, its date, its number if any (manifest, invoice or purchase order number), the identity of the author, addressor, addressee and/or recipient, and the substance or the subject matter.

15. The term **"release"** has the same definition as that contained in Section 101(22) of CERCLA, 42 U.S.C. § 9601(22), and includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.

16. The terms **"document"** and **"documents"** shall include: (a) writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intraoffice

communications, photostat or other copy of any documents; (b) microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc or disc pack, compact disc or laser disc; © any tape or other type of memory generally associated with computers and data processing (together with the identification of necessary software, programming instructions and other written material necessary to use such punch card, disc, disc pack, compact disc, laser disc, tape or other type of memory and together with printouts of such punch card, disc, disc pack, compact or laser disc, tape or other type of memory); and (d) (1) every copy of each document which is not an exact duplicate of a document which is produced, (2) every copy which has any writing, figure or notation, annotation or the like of it, (3) drafts, (4) attachments to or enclosures with any document and (5) every document referred to in any other document.

17. The terms "**and**" and "**or**" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.

18. The term "**arrangement**" means every separate contract or other agreement between two or more persons.

19. The terms "**transaction**" or "**transact**" mean any sale, transfer, giving, delivery, change in ownership, or change in possession.

20. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions.

21. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, TSCA or Title 40 of the Code of Federal Regulations.

QUESTIONS

1. Identify the person(s) answering these questions on behalf of Respondent.
2. Identify the person to whom future correspondence regarding this matter should be directed.
3. For each and every question contained herein, identify all persons consulted in the preparation of the answer.
4. Identify all names used by Respondent between 1982 and 1987.
5. Provide a description of all PCBs and PCB-items purchased, or brokered by you between 1982 and 1987 which were sent to the Sites for treatment and disposal. For each and every transaction, identify the companies or individuals which contracted with Respondent to purchase or dispose of PCBs or PCB-items.
6. Identify all persons, including Respondent's current and former employees, who have or may have knowledge, information or documents about the generation, use, purchase, treatment, storage, disposal or other handling of materials, equipment or items at, or transportation of materials, equipment or items to the Sites.
7. For each transaction identified in #4, provide contract pricing information, including but not limited to, the purchase price of PCBs or PCB-items or the unit rates for disposal and submit all related documentation. For each transaction, identify the person or entity which selected PCB Treatment, Inc. as the facility to treat and dispose of the PCBs or PCB-items.
8. Identify all persons with whom Respondent, Respondent's employees or other persons made any arrangements for disposal of materials, items or equipment at the Sites or transportation of materials, equipment or items to the Sites. For each transaction, describe the type of arrangements made and submit all documentation relating to such arrangements.
9. Identify all persons with whom Respondent, Respondent's employees or other persons made any arrangements for the storage, treatment, or disposal of materials or items at the Site. For each such transaction, describe the type of arrangement made and submit all documentation relating to such arrangement.
10. State whether Respondent's clients or customers were informed by you that the PCBs you were brokering for them were

being sent to PCB Treatment, Inc. for disposal. Provide copies of all documents provided by Respondent to Respondent's customers or clients relating to the final disposition of PCB-containing materials brokered by Respondent on their behalf.

11. Provide copies of all documents including, but not limited to, invoices, contracts, receipts, manifests, certificates of disposal, shipping papers, service orders, and other documents, pertaining to Respondent's transportation of material, equipment or items, or arrangements for transportation of material, equipment or items, to PCB Treatment, Inc.:

- a. Identify all documents pertaining to the transportation or arrangement for transportation of material, equipment or items to the Wyandotte Street location;
- b. Identify all documents pertaining to the transportation or arrangement for transportation of material, equipment or items to the Ewing Street location.

12. Provide copies of all documents including, but not limited to, invoices, contracts, receipts, manifests, certificates of disposal, shipping papers, service orders, and other documents pertaining to Respondent's arrangements for the storage, treatment or disposal of material, equipment or items at PCB Treatment, Inc.:

- a. Identify all documents pertaining to the storage, treatment or disposal of material, equipment or items to the Wyandotte Street location;
- b. Identify all documents pertaining to the storage, treatment or disposal of material, equipment or items to the Ewing Street location.

13. State whether ownership of or title to any of the PCB-containing materials brokered by Respondent was conferred upon Respondent by the terms of any of the brokering agreements or other documents requested above. If so, please indicate which documents contain such provisions.

14. Provide any information or knowledge in the possession of Respondent, its affiliates, contractors or agents, relating to PCB Treatment, Inc. (such as correspondence you may have received from other persons relating to PCB Treatment, Inc.).

15. Provide any information or knowledge in the possession of Respondent relating to the handling or transportation of material, equipment or items between the Wyandotte Street and Ewing Street Sites by any person and the purpose for such movement of material, equipment or items between the Sites.

16. Identify all materials, equipment or items that were rejected from the Sites. For each material, equipment or item rejected from the Sites, state the reason for such rejection.

17. State whether Respondent, Respondent's employees, contractors and/or agents, or other persons ever shipped any material, equipment or item to the Sites? If so, provide the following information for each material, equipment or item that was or may have been sent to the Sites:

- a. the type of material, equipment or item (i.e., transformer, capacitor, switch, etc.);
- b. the size or rating of the material, equipment or item;
- c. the name of the manufacturer and serial number;
- d. the total weight of the material, equipment, or items;
- e. the total weight of oil (in gallons, pounds, or kilograms) contained in the material, equipment or item, or the oil capacity of the material, equipment or item, and the method used to determine the amount or capacity;
- f. the type of oil or other fluid that was present or may have been present in such material, equipment or item at the time it was sent to the Sites;
- g. describe what steps were taken to determine whether the oil or fluid contained PCBs at the time of removal from service or of disposal;
- h. any and all documentation, including but not limited to, analytical data which indicates the concentration of PCBs contained in the oil or fluid;
- I. the date on which the material, equipment or item left your facility;
- j. the time period during which the material, equipment or item remained at the Sites;
- k. the name, address and telephone number of the transporter;
- l. if the material, equipment or item was owned by someone other than Respondent, identify the person owning such material, equipment or item; and

- m. the name(s), address(es), telephone number(s), and date(s) of ownership of any and all prior owners, if any, of the material, equipment and item.

18. With respect to each shipment of oil to the Sites by tanker truck, in drums or any other method of shipment, provide:

- a. the total amount of oil in gallons, pounds or kilograms contained in each shipment and the method of shipment or type of container used;
- b. the type of oil or fluid contained in each shipment;
- c. describe the steps taken to determine whether the oil or fluid contained PCBs at the time of shipment; and
- d. any and all documentation, including but not limited to, analytical data, that indicates the concentration of PCBs contained in the oil or fluid;

19. With respect to soil and debris shipped to the Sites, provide the following:

- a. a description of the constituents of the soil or debris shipped to the Sites;
- b. the total amount of soil or debris shipped to the Sites in pounds, cubic yards, cubic feet, or other type of measurement. Describe the type of measurement;
- c. describe the steps taken to determine whether the soil or debris contained PCBs at the time of shipment; and
- d. any and all documentation, including but not limited to, analytical data, that indicates the concentration of PCBs contained in the soil or debris.

20. List the EPA RCRA Identification Numbers of Respondent, generators, brokers, and/or transporters, if any, and identify the corresponding units, facilities or vessels assigned these numbers.

21. If you have reason to believe that there may be other persons, whether or not employed by Respondent, who may be able to provide a more detailed or complete response to any question or subpart of a question or who may be able to provide additional information or responsive documents, identify each such person and the additional information or documents that each may have.